IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1807 OF 2004

Shambulal Roopsheebhai Nandu & Ors. .. Petitioners
Vs.
The Special Recovery Officer & ORs. .. Respondents

None for the petitioners.
Mr.D.A.Patil for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 21ST FEBRUARY, 2005

P.C.:

. Heard Mr.Patil, learned A.G.P. for the respondents.

2. This petition was placed before this Court on 18.2.2005 when none appeared for the petitioners hence it was adjourned till today. Even today when the matter was called out none appeared for the petitioners.

3. This petition is directed against issuance of recovery certificate under 101 of the Maharashtra Co-operative Societies Act, 1960 (for short "the Act"). Mr.Patil, learned A.G.P. pointed out that a revision against the order of issuance of

certificate is provided under section 154(2A) of the Act. The petitioners have approached this Court without exhausting the said remedy. Keeping that in view and considering that none was present when the matter was called out, this petition is dismissed. However, it is open for the petitioners to adopt the remedy of revision under section 154(2A) of the Act. If such revision is filed, same may be considered in accordance with law and uninfluenced by the liberty granted by this order.

(D.B.Bhosale, J.)